
Die Lunæ, 9^o Februarii, 1784.

IT is ordered, by the Lords Spiritual and Temporal in Parliament assembled, that the Rules and Orders to be observed in the Upper House of Parliament, be forthwith Printed and Published, and that the Clerk of this House do appoint the Printing thereof.

William Watts Gayer, } Cler' Parliamentor'
Edward Gayer,

BY Virtue of the foregoing Order, *We do appoint William Sleater, sen. and jun. to Print the said Rules and Orders, and do forbid any other Person or Persons to Print the same.*

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RULES and ORDERS

To be observed in the

Upper House of Parliament

O F

IRELAND.



D U B L I N :

Printed by W. SLEATER, sen. and jun. *Castle-street.*

MDCCCLXXXIV.

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RULES and ORDERS

To be observed in the

Upper House of Parliament.

Beginning of the Parliament.

THE first Work commonly done either at the beginning of a Parliament or of Session, after Prayers are said, is, that some Bill *pro formâ* be read, and then a Motion is to be made for a Committee to be chosen out of the House,

I.
2^d Novem.
1692.

House, which shall stand all the Sessions, to review the Orders of the House, and see from Time to Time, that they be duly observed; as also for other standing Committees, of Religion, Trade, Privileges and Grievances, &c.

Form of Writs.

2.

IF there be any Difference in the Form or Stile of the Writs from the Antient, it is to be examined how it cometh, and a strict Course taken for Punishing for the Time past, and for future Amendment.

Introduction

Introduction of Peers.

RESOLVED, that all Peers of this Realm by Descent, being of the Age of Twenty one Years or upwards, may come and sit in the House of Peers, without any Introduction; no such Peers ought to pay any Fees to any Herald upon their first coming into the House of Peers, neither shall they be introduced into the House by any Herald, or with any Ceremony, tho' they shall desire the same.

3.

UPON

4.

UPON the Introduction of any Lord or Peer into the House, that neither in his own Person nor in his Ancestors sat there before, he is to be brought in his Robes, attended by the King at Arms and Gentleman Usher, supported by two of his own Bench, and to bring his Patent, or the Inrollment thereof, and his Writ along with him; and after he is sworn and hath subscribed, then to take his Place.

5.

9th Feb.
1784.

RESOLVED, that every Peer of this Realm claiming by virtue of a special Limitation in Remainder, and not claiming by Descent, shall be introduced.

Oaths

Oaths and Subscriptions.

EVERY Lord, before he be admitted to sit in the House, is to take the Oaths, and subscribe the Declaration, pursuant to the Act made in *England*, in the Third Year of the Reign of our Sovereign Lord and Lady, King William and Queen Mary, intituled, An Act for abrogating the Oath of Supremacy in *Ireland*, &c. And by an Act passed in this Kingdom in the 21st and 22^d Geo. 3. ch. 48, intituled, An Act for extending certain of the Provisions contained in an Act, intituled, An Act confirming all the Statutes made in *England*. And no Lord is to leave the Service of the House, tho' with the Leave of the House, for above seven Days, without leaving his Proxy.

B

Respect

6.

2^d Novem.
1692.

Respect to the House.

7.

BEFORE the House sit, so much Respect is to be had to the Room, that none but Members of the House ought to be covered there, not so much as the eldest Son of any Peer whatsoever, unless he be called by Writ; neither is any other Person to stay there, or any Attendant of any Nobleman, but whilst he brings in his Lord, and then he is to retire himself: When the House is sat, every Lord that shall enter is to give and receive Salutations from the rest, and not to sit down in his Place until he has made Obeisance to the Cloth of State.

Order

Order of ⁷Sitting.

THE Lords are to sit in the same Order as they do at his Majesty's or his Deputy's being there, except that the Lord Chancellor sitteth on the Wool-Sack, as Speaker to the House, and the Lord Treasurer on the Earl's Bench.

8.

Adjournment.

AT the Beginning of the Parliament, before it be met, if the Day be adjourned, it is done by Writ, which is directed to both Houses; and in that case the House of Commons is to be called in, and to

9.

B 2

stand

stand uncovered below the Bar, but not before the Lords be all sat, who sitting and being covered, the Lord Chancellor useth some Words unto them to let them know the Cause of their Meeting, which he doth uncovered, because he speaketh to both Houses, and after the Writ read, he adjourns the Court.

IF it be an Adjournment of a Session only, it is done by Commission to some of the Lords of the Upper House, in which Case none of the House of Commons are present, and the Commission is to be sent down to the House of Commons, upon such Adjournment performed by the House of Lords accordingly.

Rules

*Rules and Orders to be read at
the beginning of every Session.*

FOR the better preservation of Order in this Honourable House in their Debates and Proceedings upon such Business as comes before them, it is ordered, that the Rules and Orders of this House be publicly read in the House at the beginning of every Session, That so no Man may transgress his Duty for want of sufficient Knowledge.

10.

Journal

Journal Book.

II.

FOR the better preservation of the Journals of this House, it is ordered that a Committee be appointed by the House, at the beginning of every Session, to inspect, revise, and correct the Journals, before they be entered in the Journal-Book, and that the Minutes of the preceding Day be read in the House the Day following, where the same have not been read the Day before, by reason of a Motion for Adjournment.

House

House to be called.

IT is to be observed, that in the first Week of every Session the House is to be called, and Notice taken of such Lords as have not appeared according to the Writ or Summons, or have departed the Service of the House without leaving their Proxy, pursuant to the sixth Rule above mentioned, and the House to be called over as often as Cause requires.

12.

~ *Precedency*

Precedency of Lords.

{
13.
}

FOR settling Controversies that may arise between the Peers about Precedency, it is thought reasonable that every Peer upon a new Creation shall have Place according to the Time of his Creation and the Date of his Letters Patents, and that every other antient Peer is to hold his Place and Precedency according to his Antiquity and Creation.

Speaker

Speaker of the House.

IT is the Duty of the Lord Chancellor, or Lord Keeper of the Great Seal of Ireland, ordinarily to attend the Lords House of Parliament, and in Case they or either of them be absent from the House of Peers, and there be none authorised under the Great Seal from the King to supply that Place in the House of Peers, the Lords may then choose their own Speaker during that Vacancy.


14.


C

Speaker's

Speaker's Office.{
15.
}

THE Lord Chancellor when he speaks to the House is always uncovered, and is not to adjourn the House, or do any Thing else, as Mouth of the House, without Consent of the Lords first had, excepting the ordinary Things about Bills; which are of Course, wherein the Lords may likewise over-rule, as for preferring of one Bill before another, and such like. And in Case of Difference amongst the Lords, it is put to the Question, and if the Lord Chancellor will speak to any such Thing particularly, he is to go to his own Place as a Peer.

Order

Order of Speaking and Votes.

EVERY Man speaks standing and uncovered, and names not the Members of the House by their Names, but the Lord that spake last, last but one, last but two, &c, or by some other Note of their Speech ; at Votes the lowest (after the Question is once put by the Lord Chancellor) begins first, and every Man in his own turn riseth uncovered, and only saith, *Content*, or, *Not Content*.

}
16.
}

WHEN any Lord speaks, he is to address his Speech to the rest.

Orders to be read.

17.

THE Clerk is to read no Order till the Lord Chancellor first demand the Assent of the House, and the Clerk is to read every Order first in the House before it is entered.

Order to be kept.

18.

THE Lords in the Upper House are to keep their Dignity and Order in fitting as much as may be, and none to move out of their Places, without just Cause, to the hindrance of others that sit near them, and disorder of the House; but when they must needs go cross the House from one Side to the other, they are to make Obeisance to the Cloth of State.

Lords

*Lords not to discourse together
when the House is upon Busi-
ness.*

IF any Lord have Occasion to
speak to another Lord in this House
while the House is sitting, they are
to go together below the Bar, or
else the Speaker is to stop the
Business in Agitation.

}
19.
}

Asperity of Speech to be avoided.

FOR preventing of Misunder-
standing, and for avoiding of offen-
sive Speeches when Matters are
debated either in the House or at
Committees, it is for Honour's sake
thought

}
20.
}

thought fit that all personal, sharp and reflecting Speeches be forborne; and whosoever answereth another Man's Speech, shall apply his Answer to the Matter, without wrong to the Person; and as nothing offensive is to be spoken, so nothing is to be ill taken, if the Person that speaks shall presently make a fair Exposition or clear Denial of the Words that might bear an ill Construction: And if any Offence be given in that kind, as the House itself will be very sensible thereof, so will it sharply censure the Offenders, and give the Party offended a fit Reparation and full Satisfaction.

Quarrels

Quarrels to be avoided.

FOR avoiding all Mistakes, Unkindnesses, or other Differences, which may grow to Quarrels tending to the breach of Peace, it is ordered, that if any Lord shall conceive himself to have received an Affront or Injury from any other Member of the House, either in the Parliament-House or at any Committee, or in any of the Rooms belonging to the Lords House of Parliament, he shall appeal to the Lords in Parliament for his Reparation; which if he shall not do, but occasion or entertain Quarrels, declining the Justice of the House, then the Lords that shall be found delinquent therein, shall undergo the severe Censure of the House of Parliament.

21.

Calling

Calling Members to the Bar.

22.

As to calling Members of this High Court to the Bar, their Lordships hold it fit to be very well weighed at what time and for what Causes it shall be done, and therefore none are to be called to the Bar but such only who shall express any Reflections on their Majesties or their Chief Governor, or against this Honourable House, or any Member of the same, or for such other Cause as the House shall think fit.

Proceeding

Proceeding on Bills.

FOR Bills, they are commonly let pass at the first reading, without speaking to, unless Motion be made against the second reading, in Order to throw them out; and to be committed upon Motion at the second reading. No Man is to speak twice to one Bill at one Time of reading it, or any other Proposition, unless it be to explain himself in some material Point of his Speech; but no new Matter, and that not without the Leave of the House first obtained.

THAT all Bills which any way affect the Rights of Peerage, are to take their rise in this House.

23.

24.

9th Feb.
1784.

D

Restitution

Restitution in Blood.

25.

2^d Novem.
1692.

No act of Restitution in Blood shall be proceeded upon in Parliament until the same be first allowed and signed by the King's Majesty, and that then it is first to begin in the House of Peers.

Voting.

26.

WHEN a Question has been intirely put by the Speaker, no Lord is to speak against the Question before voting. After a Question is put, and the House has voted thereupon, no Lord is to depart out of his Place, until the House has either entered upon some other Business, or upon Consideration of adjourning the House.

Who

*Who are to go out upon dividing
of the House.*

WHEN there shall be a Division
in the House upon any Question,
the Contents shall go below the
Bar, and the Not-Contents shall stay
within the Bar.

27.

Concerning the Judges.

THE Judges sitting by are not
to be covered, until the Lords give
them Leave, which they ordinarily
signify, by the Lord Chancellor;
and they being appointed to attend
the House, are not to speak, or
deliver any Opinion, until it be
required, and they be admitted so

28.

to do by the major Part of the House; in Case of Difference, the learned Counsel are likewise to attend on the Wool-Sack, but are never covered.

Officers and Attendants.

{
29.
}

THE Usher of the Black-Rod is to wait without the Bar, and there to speak as Occasion is. The Sergeant at Arms is to wait without in the next Room, and not to come in unless called.

RESOLVED,

RESOLVED, That the Clerks and inferior Officers attending this House, shall not be at any Time suspended or displaced from their Offices or Employments, without the Leave of this House.

30.
9th Feb.
1784.

No Motion after Two of the Clock.

No Motion of any new Matter shall be made in this House after two of the Clock, except it be within the Orders of the Day.

31.
30th July,
1707.

ORDERED, That after the Minutes are read, no other Motion be made but that of Adjournment.

32.
19th Dec.
1713.

RESOLVED

33.

24th Sep.
1723.

RESOLVED upon the Question, *Nemine contradicente*, That when any Lord shall at any Time move for an Address either to the King's Majesty, Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, if the Motion so made shall specify divers Heads to be included in such Address, no Question shall be put upon the Whole at once; but that a Question shall be put upon each Head in such Order as they shall be mentioned in each Motion, to the Intent that each Lord may have a sufficient Opportunity of offering his Sense touching the same, or any Amendments he shall think fit to propose being made thereunto.

Motions

*Motions against Standing
Orders.*

No Motion shall be granted for dispensing with a Standing Order of this House, the same Day the said Motion is made, nor before the House shall be summoned to consider of the said Motion.

34.

30th July,
1707.

Committees of the House.

To have more Freedom of Speech, and that Argument may be used *pro et contra*, Committees are appointed for Bills; sometimes to facilitate and agree of great Business, either of the whole House or of particular Committees of the whole House,

35.

2^d Novem.
1692.

House, who sometimes sit in the Upper House, but then the Lord Chancellor sits not on the Wool-Sack as Speaker. If they be of fewer Number, commonly they meet in one of the Committee Rooms adjoining to the House of Lords; any of the Lords of the Committee speaks to the rest uncovered, but may sit still if he please. The Committee are to be attended by such Judges as shall be appointed, who are not to sit there, nor be covered, unless it be out of Favour. For Infirmary, some Judge sometimes has a Stool set behind him, but never covers; the rest never sit or cover.

It

IT is to be observed that in any select Committee of the Lords, any Member of the Lords House, tho' not of the Committee, is not excluded from coming in and speaking, but he must not vote; as also, he shall give Place to any that are of the Committee, tho' of lower Degree, and shall sit behind them.

36.

Committee of the House.

IF it be desired by any Lord that the House may be put into a Committee, it ought not to be refused; Every Lord is to rest in his own Place when the House is put into a Committee.

37.

E

Messages

Messages.

38.

FOR meeting with any of the Lower House, it is either upon occasions of Message, which they send up, or upon Conference when they come up. The manner is this: After the Lords have Notice given them by the Usher of the House that they have sent unto the Lords, they attend until the Lords have put that Business to some End, wherein they are; and the Lords, sitting all covered, send for them in, who stand all at the lower End of the Room, and then the Lord Chancellor with such as please, rise, and go down to the middle of the Bar;

Bar; then the Chief of the Committee, in the midst of them, and the rest about him, come up to the Bar, with three Courtesies, and deliver their Message to the Lord Chancellor, who, after he has received it, retires himself to his former Place; and the House being cleared and settled, he reports it to the Lords, who help his Memory, if any Thing be mistaken; and after the Lords have taken Resolution, if the Business require any Answer, they are called in, and approaching to the Bar, with three Courtesies as before, and the House sitting in Order and covered as before; the Lord Chancellor, sitting on the Wool-Sack covered, does give them

E 2

their

their Answer in the Name of the House; or else, if the Resolution be not speedy, the Lords send them Word by the Usher, that they shall not need to stay for the Answer, but that their Lordships will send by some express Messenger of their own.

39.

HERE is to be noted, that the Lords never send unto the House of Commons any Member of their own, but either by some of the learned Counsel, Masters of the Chancery, or such like, which attend, and in weighty Causes some of the Judges; nor are the House of Commons ever to employ unto the Lords, any but of their own Body.

Order

*Order of Meeting and
Conference.*

THE Place of Meeting with the House of Commons, upon Conference, is usually the Conference Chamber, below Stairs, between both Houses, where they are commonly before the Lords come, and expect the Lords Leisure. The Lords are to come thither in a whole Body, and not some Lords scattering before the rest, which both takes from the Gravity of the Lords, and besides may hinder the Lords from taking their proper Places. The Lords are to sit there and be covered; but they of the House of Commons are at no Committee or Conference,

40.

ference, either to be covered or sit down, unless it be some infirm Person, and that by Connivance in a Corner out of sight, but not covered.

41.

No Man is to enter either when the whole House sits, or at any Committee or Conference, unless it be such as are commanded to attend, but such as are Members of the House, upon Pain of being punished severely, and with Example to others. None are to speak at a Conference with the Lower House, but those that be of the Committee, and when any Thing that has been committed is reported, all the Lords of the Committee are to stand up uncovered.

Lords

*Lords not to answer Accusations
in the House of Commons.*

No Lord shall either go down to the House of Commons, or send his Answer by Writing, nor appear by Counsel to answer any Accusation there, upon Penalty of being committed to the Black-Rod, or the Castle of *Dublin*, during the Pleasure of the House; it being the Privilege of the Lords to answer Accusations in their own House.

42.

Lords

*Lords not to petition the
Commons without Leave.*

43.

18th Dec.
1775.

RESOLVED by the Lords Spiritual and Temporal in Parliament assembled, That every Lord of Parliament who shall at any Time have Occasion to petition the Lower House, shall first apply for Leave of this House.

Privileges.

Privileges.

ALL Lords of Parliament have Privilege of freeing from Arrests their Menial Servants, and those of their Family, as also those employed necessarily and properly about their Estates, as well as Persons, for the Space of forty Days before the Beginning or Meeting of a Parliament, and for forty Days after Prorogation or Dissolution of the same Parliament; and have also Privilege of freeing the Goods of such Persons as aforesaid from Execution for the Space of fourteen Days before any Parliament shall meet or be re-assembled, and likewise for fourteen Days after the Dissolution or Prorogation thereof.

44.

2^d Novem.
1692.
altered by
11 and 12
Geo. 3.
Ch. 12.

45.

OF all Incroachments and Breaches of Privileges, some strict Example should be made at first, and Records kept exactly both of all Things to be observed, and of all Punishments to be inflicted upon the Breakers, to deter others, be it out of Malice or Negligence.

46.

ALL the Lords are to be very careful in this Point, and to remember the ground of this Privilege, which was only in respect they should not be distracted by the Trouble of their Servants from attending the serious Affairs of the Kingdom, and that they will not therefore pervert that Privilege to the publick Injustice of the

the Kingdom, which was given them only that the whole Realm might, in this Court, draw the clearer Light of Justice from them; in which Case every one ought rather to go far within, than any way exceed, the due Limits. Before any Person be sent for in this kind, the Lord whom he serves shall, either by himself or by his Letter, or by some Message, certify the House upon his Honour that the Person arrested is within the Limits of the Privilege before expressed, and for the particulars they must be left to the Judgment of the House, as the particular Cases shall come in Question, wherein the House wants not all

means, as well by Oath as without, to find out the true Nature of the Servant's Quality in the Lord's Service; and therefore if by the House it be adjudged contrary to the true Intent, any Member whatsoever must not think it strange, if in such Case both he himself suffer Reproof as the House shall think fit, and the Servants receive no Benefit by the Privilege, but pay the Fees; because the Justice of the Kingdom must be preferred before any personal Respect, and none to be spared that shall offend after so fair a Warning.

RESOLVED,

RESOLVED by the Lords Spiritual and Temporal in Parliament assembled, That in Case of Complaint of any Lord of this House of a Breach of Privilege, whereupon any Persons shall be summoned as Delinquents or taken into Custody for the future, if the House, upon Examination of the Matter complained of, shall judge the same to be no Breach of Privilege, and that the Complaint was groundless, the Lord who made the Complaint shall pay the Fees and Expenses of the Person or Persons so summoned or taken into Custody.

47.

14th Dec.
1747.

THAT

48.
9th Feb.
1784.

THAT no Peer or Lord of Parliament hath Privilege of Peerage or of Parliament, against being compelled by Process of the King's Courts to pay obedience to a Writ of *Habeas Corpus*, directed to him.

Lords to answer upon Honour.

49.
2^d Novem.
1692.

THE Nobility of this Kingdom and Lords of the Upper House of Parliament, are to answer in all Courts of antient Rights as Defendants, upon Protestation of Honour only, and not upon common Oath.

Minors.

Minors.

No Lord, under the Age of
Twenty-one Years, is to be per-
mitted to sit in the House of
Lords.

50.

*No Privilege of Peerage to
Trustees.*

No Privilege of Parliament ought
to be allowed unto Peers in those
Cases wherein they are concerned
as Trustees only.

51.

Minor

*Minor Peers, Noble Women,
and Widows of Peers.*

52.
30th July,
1707.

PRIVILEGE of Parliament shall not be allowed to Minor Peers, Noble Women or Widows of Peers, saving their Right of Peerage; and if any Widow of any Peer shall marry a Commoner, she shall not be allowed Privilege of Peerage.

Imprisonment of Lords.

53.
2^d Novem.
1692.

THE Privilege of the House is, that no Lord of Parliament sitting the Parliament, or within the usual Time of Privilege of Parliament, is to be imprisoned or restrained, without Sentence or Order of the House, unless it be for Treason, Felony or for refusing to give Security for the Peace.

Attornies

*Attornies and Solicitors, no
Privilege.*

No common Attorney or Solicitor, tho' employed by any Peer or Lord of this House, shall be allowed Privilege of Parliament.

54.
30th July,
1707.

Privilege.

RESOLVED upon the Question, *Nemine contradicente*, That no Lord of Parliament, having once obtained the Leave of this House to wave his Privilege in any Cause, shall at any time after be admitted to re-assume his Privilege in the same Cause, without the Leave of this House.

55.
16th Dec.
1717.

G

RESOLVED,

56.

23^d Sep.
1721.

RESOLVED, That no written Protection from any Lord Spiritual or Temporal shall be hereafter valid or allowed.

57.

It was resolved on the Question, *Nemine contradicente*, That if any Lord Spiritual or Temporal shall grant a written Protection, in Contempt of the foregoing Resolution, to the Dishonour of the House, the Lord so offending shall for his Offence be committed Prisoner to the Usher of the Black-Rod, or the Constable of the Castle.

RESOLVED,

RESOLVED, *Nemine contradicente*,
That the Filing an Original Bill in
any Court of Equity is not a Breach
of the Privilege of this House.

58.
22^d Dec.
1737.

*Witnesses to be examined, in
Perpetuam Rei Memoriam.*

IN all Cases wherein it is necessary
to examine Witnesses *in Perpetuam
Rei Memoriam*, it shall not be taken
to be a Breach of the Privilege of
Parliament to file a Bill against a
Peer in Time of Parliament, and
take out usual Process for that Pur-
pose only.

59.
2^d Novem.
1692.

Titles of Honour assumed.

60.

6th Feb.
1758.

RESOLVED by the Lords Spiritual and Temporal in Parliament assembled, That all Persons assuming to themselves Titles of Honour not warranted by Law, nor allowed by the known Courtesy of this Land, are guilty of a high Breach of the Privileges of this House.

61.

RESOLVED by the Lords Spiritual and Temporal in Parliament assembled, That all Persons signing such Titles of Honour in Lieu of or as an Addition to their Names, are guilty of a high Breach of the Privileges of this House.

RESOLVED

RESOLVED by the Lords Spiritual and Temporal in Parliament assembled, That all Persons bearing Ensigns of Honour not warranted by Law, nor allowed by the known Courtesy of this Land, upon their Carriages, Plate, or Furniture, with or without their Coats of Arms, are guilty of a high Breach of the Privileges of this House.

62.

RESOLVED by the Lords Spiritual and Temporal in Parliament assembled, That all Printers and Publishers attributing Titles of Honour to any Persons to whom they do not properly belong, by inserting such Titles in their publick News-papers or Advertisements,
either

63.

either in Lieu of or as an Addition to the Names of such Persons, are guilty of a notorious Breach of the Privileges of this House.

64.

9th Feb.
1784.

RESOLVED, That this House or any Committee thereof, shall not proceed to the hearing upon any Claim to a Title of Honour, until fourteen Days after printed Cases shall have been delivered, which shall contain an Abstract of the Proofs and Authorities upon which such Claim may be founded, together with the Dates thereof and References where the same may be found.

Custody.

Custody.

RESOLVED, That when any Person, ordered by this House to be taken into Custody shall abscond, so that he is not taken till the Parliament is prorogued or dissolved, this House will renew their Order at their next Meeting, and so successively, till the Person is taken.

65.
15th Oct.
1711.

RESOLVED, That when any Person, taken into Custody by Order of this House, shall be discharged from his Confinement by the Prorogation or Dissolution of the Parliament, not having paid his Fees, that this House will at their next meeting renew their Order, and the Person shall be taken again and kept in Custody, till he has paid the Officers their Fees.

66.

Against

*Against annexing Clauses in
Bills of Aid.*

67.

30th July,
1707.

THE annexing any Clause or Clauses to a Bill of Aid or Supply, the Matter of which is foreign to and different from the Matter of the said Bill of Aid or Supply, is unparliamentary, and tends to the Destruction of the Constitution of this Kingdom.

68.

4th Dec.
1783.

RESOLVED by the Lords Spiritual and Temporal in Parliament assembled, *Nemine dissentiente*, That all Grants for the Encouragement of particular Manufactures, Arts, and Inventions, or for the Construction or carrying on of any public or other Works, ought to be made in separate Acts, and that the
Practice

Practice of annexing such Grants to Bills of Aid or Supply for the Support of his Majesty's Government, is unparliamentary, and tends to the Destruction of the Constitution.

RESOLVED by the Lords Spiritual and Temporal in Parliament assembled, *Nemine dissentiente*, That this House will reject any Bill of Aid or Supply to which any Clause or Clauses, the Matter of which is foreign to and different from the Matter of the said Bill of Aid or Supply, or any Clause or Clauses for the granting of any Sum or Sums of Money for the Encouragement of particular Manufactures Arts or Inventions, or for the Construction or carrying on of any public or other Works, shall be annexed.

69.

H

Protestation.

Protestation.

70.
2^d Novem.
1692.

SUCH Lords as shall make Protestation, or enter their Dissent to any Vote of the House, as they have a Right to do without asking Leave of the House either with or without their Reasons, shall make their Protestation, or give Direction to have their Dissent entered into the Clerk's Book, the next sitting Day of the House, or else the said Protestation or Dissent to be void and of no Effect.

Private

Private Bills.

THAT for the future no Private Bill shall be brought into this House, until the House be informed of the Matters therein contained by Petition to this House for Leave to bring in such Bill.

71.
24th Nov.
1783.

THAT when a Petition for a Private Bill shall be offered to this House, it shall be referred to two Judges, who are forthwith to summon all Parties before them who may be concerned in the Bill, and after hearing all the Parties, are to report to the House the State of their Case, and their Opinion thereupon under their Hands, and are to sign the said Bill.—The same

72.

Method to be observed as to Private Bills that are brought up from the Commons, before the second reading of such Bill, by sending a Copy of the said Bill, signed by the Clerk, to the Judges.

73.

THAT upon the reference of any Private Bill to the Judges as afore-said, the Judges to whom the said Bill shall be referred, shall send to this House a List or Lists of all such Persons' Names as are to be sworn in relation to such Bill, and that they shall be thereupon sworn at the Bar of this House, in Order to be examined by the Judges upon such Oath in relation to the Bill before them.

THAT

THAT for the future no Private Bill shall be read a second Time in this House, until printed Copies thereof be left with the Clerk of the Parliaments for the perusal of the Lords, and that one of the said Copies shall be delivered to every Person that shall be concerned in the said Bill, before the Meeting of the Committee upon such Bill; and in Case of Infancy, to be delivered to the Guardian or next Relation of full Age not concerned in Interest or in the passing of the said Bill.

74.

THAT in all Cases where Trustees shall be appointed by any Private Bill, the Committee, to whom the Bill is referred, do take Care that

75.

that the Trustees appear personally before them, and accept the Trust under their Hands. And also, that the Lord who shall be in the Chair of a Committee for passing of any Private Bill, when he makes his Report, shall acquaint the House, that all the Orders of the House in relation to Private Bills were duly observed in the passing of the said Bill through the Committee.

76.

THAT for the future it be a general Instruction to all Committees who shall meet upon Private Bills, that they take no Notice of the Consent of any Person to the passing of such Bill, unless such Person appear before them,

them, or that there be an Affidavit of two Persons made, that he or she is not able to attend and doth consent to such Bill, and that when any Committee shall be appointed on a Private Bill, Notice thereof be affixed on the Doors of this House fourteen Days before the Meeting of the said Committee.

Proceedings on Writs of Error.

FORASMUCH as upon Writs of Error returnable in the High Court of Parliament, the Plaintiff therein does often desire to delay Justice, rather than come to the Determination of the Right of the Cause: It is therefore Ordered, that the Plaintiff in all such Writs, after the
same

77.
2^d Novem.
1692.

same and the Records be brought in, shall speedily repair to the Clerk of the Parliaments, and prosecute his Writ of Error, and satisfy the Officers of this House their Fees justly due to them by reason of the Prosecution of the said Writs of Error and the Proceedings thereon, and further shall assign his Errors within Eight Days after the bringing in such Writs with the Records; and if the Plaintiff make Default so to do, then the said Clerk (if the Defendant in such Writ require it) shall record, that the Plaintiff has not prosecuted his Writ of Error, and that the House doth therefore award that such Plaintiff shall lose his Writ, and that the Defendant shall go without Day, and that the Record be remitted; and if any
Plaintiff,

Plaintiff, in any Writ of Error, shall alledge Diminution, and pray a *Certiorari*, the Clerk shall enter an Award thereof accordingly, and the Plaintiff may, before *in nullo est erratum* pleaded, sue forth the Writ of *Certiorari* in ordinary Course, without special Petition or Motion in this House for the same; and if he shall not prosecute such Writ, and procure it to be returned within Ten Days next after his Plea of Diminution put into this House, then (unless he shew good Cause to this House for enlarging the Time for the returning of such Writs) he shall lose the Benefit of the same, and the Defendant on the Writ of Error may proceed as if no such Writ of *Certiorari* were awarded.

*Time limited to bring in Writs
of Error and Appeals.*

78.

ALL Persons who shall have any Writs of Error or Petitions of Appeal from any Court of Equity to be exhibited to this House, may bring in such Writs of Error and Appeals at any Time during this Session of Parliament, and for the Time to come they are to be brought in and received within fourteen Days from the first Day of every Session or Meeting of Parliament after a Recess, after which Time the Lords declare they will, during every such Sitting, receive no Writs of Error or Petitions of Appeal,

Appeal, unless upon a Judgment given in any of his Majesty's Courts of Judicature, or Decree made in any of the Courts of Equity whilst the Parliament is actually sitting: In which Cases the Party who shall find himself aggrieved may bring his Writ of Error, or Petition of Appeal, within fourteen Days after such Judgment or Decree is given.

Re-hearings.

No Petition which relates to the Re-hearing of any Cause, or Part of a Cause, formerly heard in this House, shall be read the same Day it is offered, but shall lie upon the Table, and a future Day be appointed for the reading thereof, after Twelve of the clock.

79.
30th July,
1707.

What Counsel shall sign Appeals.

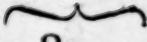
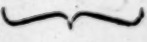
80.

ALL Appeals that come into this House shall be signed by two Counsel, and no Person whatsoever shall presume, as Counsel, to sign any Appeal to be brought into this House for the future, unless such Person hath been of Counsel in the same Cause in the Courts below, or shall attend as Counsel at the Bar of this House when the said Appeals shall be heard.

Cases

Cases to be signed by Counsel.

FOR preventing scandalous and frivolous written and printed Cases on Appeals and Writs of Error, no Person whatsoever shall presume to deliver any written or printed Case or Cases to any Lord of this House, unless such Case or Cases shall be signed by one or more of the Counsel who attended the hearing the Cause in the Courts below, or shall be of Counsel at the hearing in this House.


81.
*Petitions*

Petitions for putting off Causes.

82.

WHEN a Day shall be appointed for the hearing of any Cause, Appeal or Writ of Error, to be argued in this House, the same shall not be altered, but upon Petition; and no Petition shall in such Case be received, unless two Days Notice thereof be given to the adverse Party, of which Notice, Oath shall be made at the Bar of this House.

83.

18th Dec.

1713.

RESOLVED on the Question that for the future, when any Days are appointed for hearing Causes upon Appeals or Writs of Error to be brought into this House, upon the Petition or Application of either Party,

Party, if it be put off to a further Day, that then the Person or Persons so petitioning or applying shall pay unto the adverse Party Ten Pounds Costs.

*The Question in Judgment upon
Writs of Error.*

UPON giving Judgment in any Cases of Appeals, or Writs of Error, in this House, the Question shall be put for Reversing, and not for Affirming; because in all Cases where the Votes are equal, it is carried *semper presumitur pro negante*; and yet the House is of Opinion, that a Decree of Judgment cannot be reversed, but by a Majority of Votes, tho' affirmed if equal, for then they alter nothing.

84.
2^d Novem.
1692.

As

As to Appeals from any Order, Decree or Proceeding of, or in, any Court of Equity, the following Particulars ought to be observed, *viz.*

85.

24th Nov.
1783.

THAT every Appeal do come in the Form of a Petition.

86.

THAT such Petition is to be moved or introduced by some Lord of Parliament.

87.

That such Petition ought to be fairly ingrossed on Parchment, that it may have the permanent Quality of a Record, and that the Clerk of this House ought not to receive such Petition of Appeal, unless the same be so ingrossed on Parchment.

THAT

THAT in all Cafes, upon Appeals to be brought into this Houfe, the Party or Parties Appellants fhall, within eight Days after fuch Appeal fhall be received, give Security to the Clerk of the Parliaments by Recognizance to his Majefty, in the Penalty of One Hundred Pounds, conditioned to pay fuch Cofts to the Respondent or Respondents in fuch Appeals as this Houfe fhall appoint or award, in Cafe the Decree Order or Proceeding appealed againft fhall be affirmed, or in Cafe the Appeal fhall be difmiffed for Want of Profection, and if the Appellant or Appellants fhall neglect or refuse to give fuch Security, within the time aforefaid, that then the Clerk of the

K

Parliaments

Parliaments shall inform the House, and the Appeal from thenceforth to be dismissed.

89.

THAT in all Cases upon Writs of Error depending in this House when Diminution shall at any Time be alledged, and a *Certiorari* prayed and awarded before *in nullo est erratum* pleaded, the Clerk of the Parliaments shall upon request to him made, give a Certificate that Diminution is so alledged, and a *Certiorari* prayed and awarded thereupon.

90.

THAT when upon an Appeal to this House, an Order is made for the Respondent to answer thereto by a time limited, and no Answer is
put

put in by that Time, upon Proof made of due Service of such Order, a peremptory Day shall be appointed for putting in the Answer, without any further Notice to be given to the Respondent.

THAT such Appeals as shall be presented during this Session, to which Answers shall be put in during this Session, and for hearing whereof no Day shall be appointed in this Session; and all such Appeals as shall be presented in any subsequent Session, to which Answers shall be put in during the same Session, and for hearing whereof no Day shall be appointed in such Session; if neither the Appellant or Respondent shall apply to this House

K 2

within

91.

within eight Days, to be accounted from the first Day of the next Session, or Meeting of Parliament, for a Day of hearing, such Appeals shall stand dismissed; but without Prejudice to the Appellants presenting any new Appeals thereafter, as they shall be advised.

92.

THAT such Appeals as shall be presented during this Session to which no Answer shall be put in during this Session, and all such Appeals as shall be presented in any subsequent Session, to which no Answer shall be put in during the same Session; if neither the Appellant within eight Days to be accounted, from and after the first Day of the
next

next Session, or Meeting of Parliament, shall apply to this House to appoint a peremptory Day to answer, nor the Respondent put in an Answer within the said eight Days, such Appeals shall stand dismissed; but without Prejudice to the Appellants presenting any new Appeals thereafter, as they shall be advised.

THAT when any Answer to an Appeal shall be put in for the future, the Clerk to whom it shall be delivered do immediately indorse thereon the Day on which such Answer is brought in, and the Names of the Parties answering; and to whose Appeal such Answers are put in, be the same Day entered in the Journal of this House.

93.

THAT

94.

THAT in all Causes on Appeals or Writs of Error appointed to be heard in this House, the Appellants and Respondents, the Plaintiffs and Defendants, or their respective Agents or Solicitors, do for the future deliver to the Clerk of the Parliaments, or Clerk Assistant, to be distributed to the Lords of this House, printed Cases upon such Appeals or Writs of Error, at least six Days before the Hearing of the same, and that no other different Cases in any such Causes be at any time afterwards printed or delivered without Leave of this House.

THAT

95.

THAT no Petition of Appeal from any Decree Order or Sentence of any Court of Equity before this time signed and inrolled, or extracted, be received by this House, after five Years, to be accounted from the Expiration of this present Session of Parliament, and the end of the next Session ensuing the said five Years. Nor shall any Petition of Appeal from any Decree Order or Sentence of any of the said Courts, to be hereafter signed and inrolled, or extracted, be received by this House, after five Years from the signing and inrolling or extracting of such Decree Order or Sentence, and the end of fourteen Days next ensuing the said five Years; unless

unless the Person intitled to such Appeal be within the Age of one and twenty Years, or Covert, *Non Compos Mentis*, imprisoned, or out of Great Britain or Ireland. In which Cases such Person shall and may be at Liberty to bring his Appeal for reversing any such Decree or Sentence, at any time within five Years next after his full Age, Discoverture, coming of sound Mind, enlargement out of Prison, or coming into Great Britain or Ireland, and fourteen Days to be accounted from and after the first Day of the Session or Meeting of Parliament next ensuing the said five Years, but not afterwards or otherwise.

THAT

THAT at the Hearing of Causes, one of the Counsel for the Appellants shall open the Cause, then the Evidence on their Side shall be read; which done, the other Counsel for the Appellants shall make Observations on the Evidence: Then one of the Counsel for the Respondents shall be heard, and the Evidence on their Side to be read; after which the other Counsel for the Respondents shall be heard, and one Counsel only for the Appellants to reply.

96.

THAT when upon an Appeal to this House, an Order hath been or shall be made for the Respondent or Respondents to answer thereto by a time limited, if the Session of

97.

L

Parliament

Parliament wherein such Order hath been or shall be made, shall determine before the time so limited for answering shall be expired; and no Answer shall be put in during the same Session; Service of such Order upon the Respondent or Respondents to such Appeal, by the Space of five Weeks at the least, before the first Day of the then next Session, shall be deemed good Service; and the Appellant may apply to this House for a peremptory Day for putting in the Answer, in Case the Respondent or Respondents shall not put in his or their Answer, within three Days to be computed from the first Day of the then next Session of Parliament.

THAT

THAT all such Appeals as shall be presented during this Session, and for hearing whereof Days shall be appointed during this Session, but which shall not be determined in this Session, and all such Appeals as shall be presented, for hearing whereof Days shall be appointed in any subsequent Session which shall not be determined in the same Session, shall be heard and determined in the beginning of the next Session of Parliament, in the same Order and Course as they shall stand to be heard at the End of this or any future Session, without any new Application to this House to appoint a Day for hearing the same; and that such of the said Appeals as

L 2

shall

shall stand first to be heard at the End of this or any future Session of Parliament, shall stand to be heard upon the Wednesday in the Week next after the Week in which any subsequent Session of Parliament shall begin; the second upon the Friday following; and the third upon the Monday following; and from thence the rest of the said Appeals in course upon every Wednesday, Friday and Monday, until they shall be all heard and determined; and that in case any such Appeal shall not be adjourned by Order of this House, made before the Day on which the same is hereby appointed to be heard, and the Party or Parties on one side shall attend by their Counsel, and the
Party

Party or Parties on the other side¹ shall not attend by their Counsel on the said Day appointed for hearing thereof, such Appeal shall be heard *ex parte*; and in case neither of the Parties to such Appeal shall attend by their Counsel on the said Day appointed for hearing thereof, then such Appeal shall stand absolutely dismissed, but without prejudice in this last case to the Appellant or Appellants presenting any new Appeal thereafter, in such Manner as the said Appellant or Appellants might have done in case such former Appeal had not been presented to this House, as he or they shall be advised.

THAT

99.

THAT if the Respondent or Respondents to any Appeal depending in this House shall be desirous to exhibit a cross Appeal, they shall present the same within one Week after their Answer put into the original Appeal, otherwise the same shall not be received.

*Not to print without Leave of
the House.*

100.

30th July,
1707.

IT shall be a Breach of the Privilege of this House for any Person whatsoever to print, or publish in Print, any thing relating to the Proceedings of this House, without the Leave of this House.

Fines.

Fines.

WHEREAS this High Court of the Upper House of Parliament do often find Cause, in their Judicature, to impose Fines amongst other Punishments upon Offenders, for the good Example of Justice, and to deter others from like Offences, it is thought reasonable that, at least once before the End of every Session, the Committee for the Orders of the House and Privileges of the Lords of Parliament do acquaint the House with all the Fines that

101.

2^d Novem.
1692.

that have been laid, that Session, that thereupon their Lordships may use that Power they justly have to take off or mitigate such Fines, either wholly or in part, according to the measure of the Penitence or Ability of the Offender, or to suffer all to stand, as in Equity their Lordships shall think fit; and that, until every Session be ended, no Estreat be made of such Fines set or imposed by Parliament, or any Copy thereof to be made by the Clerk, without especial Order, upon publick Motion in the full House.

Trial

*Trial of such Persons as shall
be brought before the Lords.*

As this Court is the highest, from whence others ought to draw their Light, so the Proceedings thereof should be most clear and equal, as well on the one side in finding out Offences where there is just ground, as on the other side in affording all just means of Defence to such as shall be questioned; and therefore in all Cases of Moment, the Defendants shall have Copies of all Depositions, *pro et contra*, after Publication, a convenient time before the Hearing, to prepare themselves.

102.

M

Counsel

Counsel at the Bar.

103.

NEITHER their Majesties Attorney General, nor any Assistant of this House, shall be allowed to be a Counsel for any private Person or Persons whatsoever, without the Leave of the House.

Counsel to be admitted.

104.

IF the Defendants shall demand it of the House in due Time, they shall have their learned Counsel to assist them in their Defence, whether they be able by reason

reason of Health to answer in Person or not, so as they choose Counsell void of just Exception; and if such Counsell shall refuse them, they are to be assigned as the Court shall think fit. This is to be done, because in all Causes, as well civil as criminal and capital, all lawful Helps cannot before just Judges make any one that is guilty to avoid Justice; and on the other side, God forbid that the Innocent should be condemned!

Proxies.

{
105.
}

No Lord of this House shall be capable of receiving more than two Proxies; no more to be numbered in any Cause voted : All Proxies from a Spiritual Lord shall be made to a Spiritual Lord, and from a Temporal Lord to a Temporal Lord : All Proxies are to be sent in due Form, or else not to be allowed.

Proxies.

Proxies vacated.

IF a Peer, having leave from the King to be absent from Parliament, give his Proxy and afterwards sit again in the House, his coming, and sitting again in that Parliament, determines that Proxy. If a Peer, having Leave to be absent, make his Proxy and return, he cannot make a new Proxy, without new Leave.

106.

Proxies

Proxies in Judicial Causes.

107.
30th July,
1707.

No Proxy for the future shall be made use of in any judicial Cause in this House, although the Proceedings be by way of Bill.

Proxies to vote.

108.

A Lord having a Proxy and voting in the Question, ought to give a Vote for that Proxy, in case Proxies be called for.

Proxies

Proxies entered after Prayers.

No Proxy entered in the Book
after Prayers, shall be made use of
the same Day in any Question.

109.

RESOLVED, That all Proxies of
the Lords of Parliament do and
ought to determine upon a Proro-
gation after a Session.

110.

7th Nov.
1737.

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